

Entered -07-09-01 - sb

CL 01L0425 - GWENDOLYN BURNS

CLAIM OF:

QUANTARI SMITH

340 Holly Street, Apt. C
Atlanta, Georgia 30318

01-*R*-1413

For property damages alleged to have been sustained from a sewer
back up on June 4, 2001 at 340 Holly Street, Apt. C.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0425

Date: August 26, 2001

Claimant/Victim QUANTARI SMITH

BY: (Atty) (Ins. Co.)

Address: 340 Holly Street, Apt. C, Atlanta, Georgia 30318

Subrogation: Claim for Property damage \$ 2,500.00

Date of Notice: 6/2/01 Method: Written, Proper X Bodily Injury \$ Improper X

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 6/4/01 Place: 340 Holly Street, Apt. C

Department PUBLIC WORKS Division Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained damages to her residence from a sewer back up. However, an investigation determined that the City did not have notice of any problems at this location prior to the June 4, 2001 occurrence. The City is immune from liability as set forth in O.C.G.A. §36-33-1.


INVESTIGATION:

Statements: City employee Claimant Others Written Oral
 Pictures Diagrams Reports: Police Dept Report X Other X
 Traffic citations issued: City Driver Claimant Driver
 Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
 Improper Notice More than Six Months Other X Damages reasonable
 City not involved Offer rejected Compromise settlement
 Repair/replacement by Ins. Co. Repair/replacement by City Forces
 Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


 INVESTIGATOR - GWENDOLYN BURNS

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

JUL 02 2001

Today's Date: June 4 2001

RECEIVED

RE: CLAIM FOR DAMAGES

07/09/01

BURNS

Dear Municipal Clerk:

MUNICIPAL CLERK

ENTERED - 7-9-01 - SB
0110425 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 20500 property and/or bodily injury for which I contend the City is liable.

1. Date of incident: June 4 2001 2. Time of Incident: 10 AM 3. Police called: Yes ☒ NO

4. Location of incident (including street address): 340 Holly at apt B 30318 Atl GA

5. Name of your insurance company: _____ Policy No. _____

6. State what and how incident occurred: The tub over Floored with B.M and the toilet and when about 1 pm the house flooded with nothing but B.M - in my bed room on my clothes, shoes, bed and my things in my living room on the legs of my sofa and all over my carpets and my bath mats.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.